

1 **HB 2712 - H AMD 423 WITHDRAWN 2-9-2000**

2 By Representative Lambert

3 Strike everything after the enacting clause and insert the  
4 following:

5 "Sec. 1. RCW 9A.44.093 and 1994 c 271 s 306 are each amended to  
6 read as follows:

7 (1) A person is guilty of sexual misconduct with a minor in the  
8 first degree when the person has, or knowingly causes another person  
9 under the age of eighteen to have, sexual intercourse with another  
10 person who is at least sixteen years old but less than eighteen years  
11 old and not married to the perpetrator, if the perpetrator is at least  
12 sixty months older than the victim(~~(, is in a significant relationship~~  
13 ~~to the victim, and abuses a supervisory position within that~~  
14 ~~relationship in order to engage in or cause another person under the~~  
15 ~~age of eighteen to engage in sexual intercourse with the victim.)) and~~

16 (a) is in a significant relationship, as defined in RCW  
17 9A.44.010(8)(a), to the victim; or

18 (b) is in a significant relationship, as defined in RCW  
19 9A.44.010(8)(b) or (c), to the victim, and abuses a supervisory  
20 position within that relationship in order to engage in or cause  
21 another person under the age of eighteen to engage in sexual  
22 intercourse with the victim.

23 (2) Sexual misconduct with a minor in the first degree is a class  
24 C felony.

25 **Sec. 2.** RCW 9A.44.096 and 1994 c 271 s 307 are each amended to  
26 read as follows:

27 (1) A person is guilty of sexual misconduct with a minor in the  
28 second degree when the person has, or knowingly causes another person  
29 under the age of eighteen to have, sexual contact with another person  
30 who is at least sixteen years old but less than eighteen years old and  
31 not married to the perpetrator, if the perpetrator is at least sixty  
32 months older than the victim(~~(, is in a significant relationship to the~~  
33 ~~victim, and abuses a supervisory position within that relationship in~~

1 ~~order to engage in or cause another person under the age of eighteen to~~  
2 ~~engage in sexual contact with the victim.)) and~~

3 (a) is in a significant relationship, as defined in RCW  
4 9A.44.010(8)(a), to the victim; or

5 (b) is in a significant relationship, as defined in RCW  
6 9A.44.010(8)(b) or (c), to the victim, and abuses a supervisory  
7 position within that relationship in order to engage in or cause  
8 another person under the age of eighteen to engage in sexual contact  
9 with the victim.

10 (2) Sexual misconduct with a minor in the second degree is a gross  
11 misdemeanor."

**EFFECT:** A person who provides education, health, welfare, or organized recreational activities to minors commits the crime even if they did not abuse a supervisory position within the relationship.

Any other person who is in a significant relationship with a 16 or 17 year old commits the crime only if the person abuses a supervisory position within the relationship.